

REMARKS

Consideration of the amendments to the application is respectfully requested. The amendments are made pursuant to 37 C.F. R. 1.121. No new matter has been entered.

STATUS OF CLAIMS

Claims 1-4 were pending in the application.

Claims 1 and 3 have been cancelled.

Claims 2 and 4 are currently amended.

New Claims 5-18 have been added.

SPECIFICATION

Objection to the Specification

In paragraph 3 of the Office Action, the Examiner objected to the specification. In response, Applicant has corrected the specification in the manner as suggested by the Examiner. Accordingly, the objection to the specification should be withdrawn.

CLAIMS

Claim Objections

In paragraph 4 of the Office Action, the Examiner objected to the claims and identifies specific informalities. In response, Claims 1 and 3 have been cancelled. Accordingly, the objection to the claims should be withdrawn.

Rejection under 35 U.S.C. 112, first paragraph

In paragraph 6 of the Office Action, the Examiner rejected Claims 1-4 under 35 U.S.C. 112, first paragraph. In response, Applicant cancelled Claims 1 and 3 and amended Claims 2 and 4. Accordingly, the rejection under 35 U.S.C. 112, first paragraph should be withdrawn.

**Rejection under 35 U.S.C. 102(e) as being anticipated by
Kubo et al. (US Pat. No. 6,236,630)**

In paragraph 7 of the Office Action, the Examiner rejected Claims 1-4 under 35 U.S.C. 102(e) as being anticipated by Kubo et al. (US Pat. No. 6,236,630). In response, Applicant has submitted new independent Claims 5 and 12, which better clarify the invention.

New Claim 5 reads as follows:

5. *Disc speed control device for use in a player or recorder of a disc shaped information carrier to read or record data along data tracks, the data being read or recorded using a pick-up, the device comprising:*

disc actuating means for rotating the disc in a first mode at a constant linear velocity or a second mode at a constant angular velocity;

the pick-up for reading the data from the rotating disc and producing an output signal representative of scanned data from the rotating disc;

frequency generating means for generating a rotation speed frequency representative of a rotation speed of the rotating disc;

signal processing means for processing the output signal of the pick-up and creating a data frequency signal, the data frequency signal being related to a frequency at which the data is scanned by the pick-up;

a speed processor for receiving the data frequency signal and computing a determined rotation speed value for said first mode and said second mode wherein in the first mode the determined rotation speed value further depends on a location of the rotating disc at which the pick-up scans the data;
and

speed servo means for receiving the rotation speed frequency signal and the determined rotation speed value and for regulating the disc actuating means in response to the determined rotation speed value. (Emphasis added)

Kubo et al. describes a motor servo and driver circuit 8 that comprises a CLV servo circuit 8a for CLV driving of the disk driver motor 5, and a CAV servo circuit 8b for CAV driving of that motor. Accordingly, Kubo et al. **does not** teach the above emphasized claim language namely, “a speed processor for receiving the data frequency signal and computing a determined rotation speed value for said first mode and said second mode wherein in the first mode the determined rotation speed value further depends on a location of the rotating disc at which the pick-up scans the data.” Instead, Kubo et al. teach two separate circuits. The system disclosed by Kubo et al. corresponds, therefore, to the prior art solution disclosed on page 2, lines 29-39 of the specification of the subject application. Contrary to the prior art solution described by Applicant and Kubo et al., the present invention uses a single speed processor for controlling the speed in either the constant linear velocity or the constant angular velocity. The solution offered by the present invention, which employs a single speed processor, calculates and provides an adapted determined rotation speed value depending on the mode of operation.

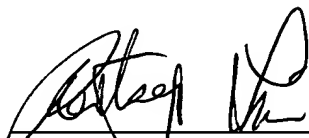
New independent Claim 12 has similar claim language as Claim 5.

For the reasons set forth above, new Claims 5 and 12 are allowable over the Kubo et al. and the corresponding rejection under 35 U.S.C. 102(e) should be withdrawn. Since Claims 2, 4, 6-11 and 13-18 depend from independent Claims 5 and 12, respectively, then for the same reasons set forth above with regard to Claims 5 and 12, these dependent claims are also allowable over Kubo et al. and any corresponding rejection under 35 U.S.C. 102(e) should be withdrawn.

CONCLUSION

In view of the foregoing remarks and amendments, the Applicant believes that he has overcome all of the Examiner's basis for rejection, and that this application therefore stands in condition for allowance. However, if the Examiner is of the opinion that such action cannot be taken, the Applicant requests that he contact his undersigned attorney in order to resolve any outstanding issues without the necessity of issuing another Office Action.

Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to [Mail Stop Non-Fee Amendment], Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

10-30-03
Date

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